IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 23581 of 2004(G)

PETITIONER:

P.V.VARGHESE, DRIVER SPECIAL GRADE-I (RETIRED), GENERATION DIVISION, IDAMALAYAR, ERNAKULAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SRI.T.K.KAMALJITH

RESPONDENTS:

1. **KERALA STATE ELECTRICITY BOARD, REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**

2. **THE CHIEF ENGINEER, H.R.M., KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**

3. **THE DEPUTY CHIEF ENGINEER, KERALA STATE ELECTRICITY BOARD, GENERATION CIRCLE, KOTHAMANGALAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.C.K. KARUNAKARAN, SC FOR KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23581/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE N.L. CERTIFICATE DT. 10/3/04.

EXT.P2. COPY OF THE RELEAVING CERTIFICATE DT. 28/2/04.

EXT.P3. COPY OF THE MEMO OF CHARGES DT. 24/6/04.

EXT.P4. COPY OF THE COMPLAINT BY THE PETITIONER DT. 21/2/2002.

EXT.P5. COPY OF THE REPLY GIVEN BY THE PETITIONER DT. 13/7/2004.

EXT.P6. COPY OF THE PENSION PAYMENT ORDER DT.20/7/04.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.23581 of 2004

Dated 20th July, 2007.

J U D G M E N T

Petitioner is aggrieved since the pensionary benefits have not been disbursed. Since three years have elapsed after the retirement, there cannot be recovery of any liability from the DCRG, in case no liability has been fixed within three years. Therefore, the writ petition is disposed of directing the respondents to look into the matter and take appropriate action to disburse the DCRG due to the petitioner, in case no liability has been fixed within three years of retirement, within a period of two months from the date of production of a copy of the judgment.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 20th July, 2007.